

Last revised 8/1/15

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In Re:
Patricia Pugliese,

Case No.: 14-24569-CMG

Judge: Christine M. Gravelle

Chapter: 13

Debtor(s)

Chapter 13 Plan and Motions

- ☐ Original ☒ Modified/Notice Required ☒ Discharge Sought
☐ Motions Included ☐ Modified/No Notice Required ☐ No Discharge Sought

Date: 2/23/17

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS WILL BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 4,729.00 per month to the Chapter 13 Trustee, starting on 3/1/17 for approximately 30 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future earnings
☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: _____

- ☐ Refinance of real property:

Description:

Proposed date for completion: _____

- ☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e. ☒ Other information that may be important relating to the payment and length of plan:

Debtor will pay taxes and insurance on 71 Clematis Street, Pemberton Township, NJ, directly to Pemberton Township Tax Collector and will pay the homeowners insurance as premiums become due.

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
State of New Jersey	State Income Tax	\$4,356.76

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
US Bank US Bank Ocwen Loan Servicing	505 Willow Blvd 24 Amaryllis Lane 308 Louisiana Trail	\$41,694.22 \$105,344.75 \$2,137.32		\$41,694.22 \$105,344.75 \$2,137.32	\$1,047.99 \$3,802.21 \$867.45

b. Modification

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

America's Servicing Company (ASC) for mortgage secured by real property located at 229 Madison Avenue, Lumberton, NJ 08048

e. Secured Claims to be Paid in Full Through the Plan:

Creditor	Collateral	Total Amount to be Paid Through the Plan
State of New Jersey	71 Clematis Street	\$2,895.21
US Bank	71 Clematis Street	\$54,010.60
US Bank	71 Clematis Street	\$6,337.01

Part 5: Unsecured Claims

a. Not separately classified allowed non-priority unsecured claims shall be paid:

☐ Not less than \$ _____ to be distributed *pro rata*

☒ Not less than 100 percent

☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis For Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Attorneys Fees _____
- 3) Secured Claims _____
- 4) Priority/Unsecured Claims _____

d. Post-Petition Claims

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: 6/1/16 and 7/30/14.

Explain below **why** the plan is being modified:

Loan modification was granted on the property located 229 Madison Ave (ASC).

Further, US Bank disbursed a total of \$6,337.01 for property taxes and insurance on Debtor's property located at 71 Clematis Street, pemberton Township, NJ

Explain below **how** the plan is being modified:

Plan seeks to remove loan modification language on the property located at 229 Madison Ave. The loan modification was granted and approved by the court and Debtor seeks to remove the payment of mortgage arrears for 229 Madison Ave property from the plan as arrears were addressed by the loan modification.

Debtor further seeks to modify her Chapter 13 plan to include the repayment of \$6,337.01 to US Bank for escrows advanced by the Lender for property taxes and insurance.

Amended Schedules I and J were filed on 6/1/2016 by Debtor's former counsel.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

Part 10: Sign Here

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: 2/23/17

/s/ Amy L. Knapp
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 2/23/17

/s/ Patricia Pugliese
Debtor

Date: _____

Joint Debtor

Imaged Certificate of Notice Page 8 of 9

United States Bankruptcy Court
District of New JerseyIn re:
Patricia Pugliese
DebtorCase No. 14-24569-CMG
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin
Form ID: pdf901Page 1 of 2
Total Noticed: 29

Date Rcvd: Feb 24, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 26, 2017.

db +Patricia Pugliese, 24 Amaryllis Lane, Lumberton, NJ 08048-4866
 cr +HSBC BANK USA, N.A., Stern & Eisenberg, PC, 1040 North Kings Highway, Suite 407,
 Cherry Hill, NJ 08034-1925
 cr +U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, SUCCE, Phelan Hallinan & Schmieg, PC,
 400 Fellowship Road, Suite 100, Mt. Laurel, NJ 08054-3437
 cr +WELLS FARGO BANK, N.A., Phelan Hallinan & Schmieg, PC, 400 Fellowship Road, Suite 100,
 Mt. Laurel, NJ 08054-3437
 cr +WELLS FARGO BANK, N.A. D/B/A AMERICAS SERVICING CO, Phelan Hallinan & Schmieg, PC,
 400 Fellowship Road, Suite 100, Mt. Laurel, NJ 08054-3437
 cr +WELLS FARGO BANK, N.A. SERVICER FOR U.S. BANK NATI, Phelan Hallinan & Schmieg, PC,
 400 Fellowship Road, Suite 100, Mt. Laurel, NJ 08054-3437
 cr +WELLS FARGO BANK, N.A. as servicer for U.S. BANK N, Phelan Hallinan & Schmieg, PC,
 400 Fellowship Road, Suite 100, Mt. Laurel, NJ 08054-3437
 514920965 +Americas Servicing Co, Po Box 10328, Des Moines, IA 50306-0328
 515294438 +Americas Servicing Company, ATTN: Bankruptcy Dept., MAC# D3347-014, 3476 Stateview Blvd.,
 Fort Mill, SC 29715-7203
 514953971 +Chase, PO Box 15298, Wilmington, DE 19850-5298
 514953972 +Comprehensive Advisors, LLC, 1000 Walnut St, Ste 110, Lansdale, PA 19446-1140
 515288039 HSBC Bank National Association, c/o Ocwen Loan Servicing, LLC, Attn: Bankruptcy Department,
 P.O. BOX 24605, West Palm Beach, FL 33416-4605
 514953974 +Integrity Partners, Inc., 1000 Walnut St, Ste 110, Lansdale, PA 19446-1140
 514953975 +Integrity Tax Of New Jersey, Inc., 1000 Walnut St, Ste 110, Lansdale, PA 19446-1140
 514953976 +John R. Hickey III, 1000 Walnut St, Ste 110, Lansdale, PA 19446-1140
 514953977 +Ocwen Loan Servicing L, ATTN: BANKRUPTCY, P.O. Box 24738, West Palm Beach, FL 33416-4738
 514953978 ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
 TRENTON NJ 08646-0245
 (address filed with court: State Of New Jersey, Dept Of Treasury, Division Of Taxation,
 PO Box 283, Trenton, NJ 08695-0283)
 515458625 +U.S. BANK N.A., AS TRUSTEE, et.al., AMERICAS SERVICING COMPANY,
 ATTENTION: BANKRUPTCY DEPARTMENT, MAC # D3347-014, 3476 STATEVIEW BOULEVARD,
 FORT MILL, SC 29715-7203
 515265821 +U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE et.al A, Attention: Bankruptcy Department,
 MAC# #D3347-014, 3476 Stateview Boulevard, Fort Mill, SC 29715-7203
 514920966 +US Bank National Association, Attn: Phelan Hallinan & Diamond, PC,
 400 Fellowship Rd, Ste 100, Mt Laurel, NJ 08054-3437
 515293573 +US Bank National Association, as Trustee, successo, c/o Zucker Goldberg & Ackerman,
 200 Sheffied Street, Suite 301, Mountainside, NJ 07092-2315
 515325727 +WELLS FARGO BANK, N.A., AMERICAS SERVICING COMPANY, Attention: Bankruptcy Department,
 MAC# #D3347-014, 3476 Stateview Boulevard, Fort Mill, SC 29715-7203
 514980528 Wells Fargo Bank, N.A., PO Box 10438, Des Moines, IA 50306-0438
 514953980 +Wf Crd Svc, ATTENTION: BANKRUPTCY, Po Box 10438, Des Moines, IA 50306-0438

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Feb 24 2017 23:19:02 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Feb 24 2017 23:18:58 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235

514987947 E-mail/Text: mrdiscen@discover.com Feb 24 2017 23:18:25 Discover Bank,
 DB Servicing Corporation, PO Box 3025, New Albany, OH 43054-3025

514953973 +E-mail/Text: mrdiscen@discover.com Feb 24 2017 23:18:25 Discover Fin Svcs Llc,
 Po Box 15316, Wilmington, DE 19850-5316

514940682 E-mail/PDF: gecsed@recoverycorp.com Feb 24 2017 23:17:56 Synchrony Bank,
 c/o of Recovery Management Systems Corp, 25 S.E. 2nd Avenue, Suite 1120,
 Miami, FL 33131-1605

TOTAL: 5

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr* +WELLS FARGO BANK, N.A. SERVICER FOR U.S. BANK NATI, Phelan Hallinan & Schmieg, PC,
 400 Fellowship Road, Suite 100, Mt. Laurel, NJ 08054-3437

cr* +WELLS FARGO BANK, N.A. as servicer for U.S. BANK N, Phelan Hallinan & Schmieg, PC,
 400 Fellowship Road, Suite 100, Mt. Laurel, NJ 08054-3437

515812692* ++STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
 TRENTON NJ 08646-0245

(address filed with court: State of New Jersey, Department of Treasury,
 Division of Taxation, PO BOX 245, Trenton NJ 08695-0245)

TOTALS: 0, * 3, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 29

Date Rcvd: Feb 24, 2017

***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 26, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 23, 2017 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo docs@russotrustee.com
Albert Russo (NA) on behalf of Trustee Albert Russo docs@russotrustee.com
Amy L. Knapp on behalf of Debtor Patricia Pugliese alk@sgoldsteinlaw.com,
G31979@notify.cincompass.com/notices@uprightlaw.com
Andrew L. Spivack on behalf of Creditor US Bank National Association, as Trustee, successor
in interest to Bank One, National Association, as Trustee for CreditSuisse First Boston Mortgage
Securities Corp. CSFB Mortgage-Backed Pass-Through nj.bkecf@fedphe.com
Andrew L. Spivack on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, SUCCESSOR
IN INTEREST TO BANK ONE, NATIONAL ASSOCIATION, AS TRUSTEE FOR CREDIT SUISSE FIRST BOSTON
MORTGAGE SECURITIES CORP. CSFB MORTGAGE-BACKED et.al. nj.bkecf@fedphe.com
Andrew L. Spivack on behalf of Creditor WELLS FARGO BANK, N.A. as servicer for U.S. BANK
NATIONAL ASSOCIATION, AS TRUSTEE FOR BEAR STEARNS ASSET BACKED SECURITIES I TRUST 2004-AC4
ASSET-BACKED CERTIFICATES, SERIES 2004-AC4 nj.bkecf@fedphe.com
Andrew L. Spivack on behalf of Creditor WELLS FARGO BANK, N.A. SERVICER FOR U.S. BANK
NATIONAL ASSOCIATION, AS TRUSTEE, SUCCESSOR IN INTEREST TO BANK ONE, NATIONAL ASSOCIATION, AS
TRUSTEE FOR CREDIT SUISSE FIRST BOSTON MORTGAGE SECURITIES C nj.bkecf@fedphe.com
Andrew L. Spivack on behalf of Creditor WELLS FARGO BANK, N.A. SERVICER FOR U.S. BANK
NATIONAL ASSOCIATION, AS TRUSTEE FOR BEAR STEARNS ASSET BACKED SECURITIES I TRUST 2004-AC4
ASSET-BACKED CERTIFICATES, SERIES 2004-AC4 nj.bkecf@fedphe.com
Andrew L. Spivack on behalf of Creditor WELLS FARGO BANK, N.A. nj.bkecf@fedphe.com
Andrew L. Spivack on behalf of Creditor WELLS FARGO BANK, N.A. as servicer for U.S. BANK
NATIONAL ASSOCIATION, AS TRUSTEE, SUCCESSOR IN INTEREST TO BANK ONE, NATIONAL ASSOCIATION, AS
TRUSTEE FOR CREDIT SUISSE FIRST BOSTON MORTGAGE SECURITIES nj.bkecf@fedphe.com
Christopher G. Cassie on behalf of Debtor Patricia Pugliese ecf@newjerseybankruptcy.com,
lmpcourt@gmail.com
Denise E. Carlson on behalf of Creditor U.S. Bank National Association, as Trustee, successor
in interest to Bank One, National Association, as Trustee for Credit Suisse First Boston
Mortgage Securities Corp. CSFB Mortgage-Backed Pass-Throu bankruptcynotice@zuckergoldberg.com,
bkgroup@kmlawgroup.com
John D. Krohn on behalf of Creditor US Bank National Association, as Trustee, successor in
interest to Bank One, National Association, as Trustee for CreditSuisse First Boston Mortgage
Securities Corp. CSFB Mortgage-Backed Pass-Through nj.bkecf@fedphe.com
John Philip Schneider on behalf of Creditor WELLS FARGO BANK, N.A. SERVICER FOR U.S. BANK
NATIONAL ASSOCIATION, AS TRUSTEE, SUCCESSOR IN INTEREST TO BANK ONE, NATIONAL ASSOCIATION, AS
TRUSTEE FOR CREDIT SUISSE FIRST BOSTON MORTGAGE SECURITIES C nj.bkecf@fedphe.com
John Philip Schneider on behalf of Creditor WELLS FARGO BANK, N.A. D/B/A AMERICAS SERVICING
COMPANY AS SERVICING AGENT FOR U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, SUCCESSOR IN INTEREST
TO BANK ONE, NATIONAL ASSOCIATION, AS TRUSTEE FOR CREDI nj.bkecf@fedphe.com
John Philip Schneider on behalf of Creditor WELLS FARGO BANK, N.A. nj.bkecf@fedphe.com
Justin Plean on behalf of Creditor HSBC BANK USA, N.A. jplean@rasflaw.com,
bkyecf@rasflaw.com/ras@ecf.courtdrive.com
Steven K. Eisenberg on behalf of Creditor HSBC BANK USA, N.A. bkecf@sterneisenberg.com,
jmcnally@sterneisenberg.com/skelly@sterneisenberg.com/bkecf@sterneisenberg.com

TOTAL: 19